

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA

FILED

Bruce Lynn Collins

SEP 21 2022

(Enter the full name of the plaintiff.)

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT, WESTERN DIST. OKLA.
BY WMT DEPUTY

v.

Case No. CIV-22-843-R
(Court Clerk will insert case number)

- (1) Greg Williams,
(2) Oklahoma County Jail Trust
(3) Oklahoma County Seat et al

(Enter the full name of each defendant. Attach additional sheets as necessary.)

PRO SE PRISONER CIVIL RIGHTS COMPLAINT

Initial Instructions

1. You must type or legibly handwrite the Complaint, and you must answer all questions concisely and in the proper space. Where more space is needed to answer any question, you may attach a separate sheet.
2. You must provide a full name for each defendant and describe where that defendant resides or can be located.
3. You must send the original complaint and one copy to the Clerk of the District Court.
4. You must pay an initial fee of \$402 (including a \$350 filing fee and a \$52 administrative fee). The complaint will not be considered filed until the Clerk receives the \$402 fee or you are granted permission to proceed *in forma pauperis*.
5. If you cannot prepay the \$402 fee, you may request permission to proceed *in forma pauperis* in accordance with the procedures set forth in the Court's form application to proceed *in forma pauperis*. See 28 U.S.C. § 1915; Local Civil Rule 3.3.

- If the court grants your request, the \$52 administrative fee will not be assessed and your total filing fee will be \$350.
- You will be required to make an initial partial payment, which the court will calculate, and then prison officials will deduct the remaining balance from your prison accounts over time.
- These deductions will be made until the entire \$350 filing fee is paid, **regardless of how the court decides your case.**

7. The Court will review your complaint before deciding whether to authorize service of process on the defendants. *See* 28 U.S.C. §§ 1915(e)(2), 1915A; 42 U.S.C. § 1997e(c)(1). If the Court grants such permission, the Clerk will send you the necessary instructions and forms.

8. If you have been granted permission to proceed *in forma pauperis*, the United States Marshals Service will be authorized to serve the defendants based on information you provide. If you have not been granted permission to proceed *in forma pauperis*, you will be responsible for service of a separate summons and copy of the complaint on each defendant in accordance with Rule 4 of the Federal Rules of Civil Procedure.

COMPLAINT

I. Jurisdiction is asserted pursuant to:

☒ 42 U.S.C. § 1983 and 28 U.S.C. § 1343(a)(3) (NOTE: these provisions generally apply to state prisoners), or

☐ *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971), and 28 U.S.C. § 1331 (NOTE: these provisions generally apply to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

Pendant Jurisdiction & Supplemental

(3) List the supporting facts:

(4) Relief requested: (State briefly exactly what you want the court to do for you.)

\$ 75,000 Dollars

2. Claim II:

(1) List the right that you believe was violated:

(2) List the defendant(s) to this claim: (If you have sued more than one defendant, specify each person or entity that is a defendant for this particular claim.)

IV. Parties to Current Lawsuit

State information about yourself and each person or company listed as a defendant in the caption (the heading) of this complaint.

1. Plaintiff

Name and any aliases: Bruce L. Collins

Address: 201 N Shartel Ave

Inmate No.: _____

2. Defendant No. 1

Name and official position: Greg Williams
Oklahoma County Jail

Place of employment and/or residence: _____

How is this person sued? (☒ official capacity, (☒ individual capacity, (☒ both

3. Defendant No. 2

Name and official position: County Seat

Place of employment and/or residence: _____

How is this person sued? (☒ official capacity, (☒ individual capacity, (☒ both

If there are more than two defendants, describe the additional defendants using this same format on a separate sheet(s).

II. State whether you are a:

- ☐ Convicted and sentenced state prisoner
☐ Convicted and sentenced federal prisoner
☒ Pretrial detainee
☐ Immigration detainee
☐ Civilly committed detainee
☐ Other (please explain) _____

III. Previous Federal Civil Actions or Appeals

List each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility.

1. Prior Civil Action/Appeal No. 1

a. Parties to previous lawsuit:

Plaintiff(s): Bruce Collins

Defendant(s): Justin Jones

b. Court and docket number: N/A

c. Approximate date of filing: 2011

d. Issues raised: 5th Amendment

e. Disposition (for example: Did you win? Was the case dismissed? Was summary judgment entered against you? Is the case still pending? Did you appeal?): dismissed

f. Approximate date of disposition: N/A

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on a separate sheet(s).

(3) List the supporting facts:

See Attached

(4) Relief requested: (State briefly exactly what you want the court to do for you.)

See Attached

If there are more than two claims that you wish to assert, describe the additional claims using this same format on a separate sheet(s).

VI. Declarations

I declare under penalty of perjury that the foregoing is true and correct.

Bruce Callin

Plaintiff's signature

9/18/22

Date

I further declare under penalty of perjury that I placed this complaint in the prison's legal mail system, with the correct postage attached, on the 18 day of Sept, 2022

Bruce

Plaintiff's signature

9/18/2022

Date

6. *Do not include claims relating to your criminal conviction or to prison disciplinary proceedings that resulted in loss of good time credits.*

- If a ruling in your favor “would necessarily imply the invalidity” of a criminal conviction or prison disciplinary punishment affecting the time served, then you cannot make these claims in a civil rights complaint unless you have already had the conviction or prison disciplinary proceeding invalidated, for example through a habeas proceeding.

Claims

List the federal right(s) that you believe have been violated, and describe what happened. Each alleged violation of a federal right should be listed separately as its own claim.

1. **Claim 1:**

(1) List the right that you believe was violated:

See Attached

(2) List the defendant(s) to this claim: (If you have sued more than one defendant, specify each person or entity that is a defendant for this particular claim.)

See Attached

Claim 1:

(1) 8TH Amendment & 14TH Amendment

(2) Greg Williams, Oklahoma County Jail Trust Administrator, County Seat

(3) Supporting facts:

I have been incarcerated in this jail since June 8th, 2022. During this time I have seen (16) assaults, including mine. I lost a back tooth, suffered several bumps on my face and head. I reported my assault to Detention Officer "Kelly," who stated I should learn how to "bob and weave." I alerted medical through the phone protocol, and was told my assault wasn't an emergency. During my assault there was no Detention officer in the pod.

Due to staff shortage I am now scared to come out of my cell

to shower. And the primary reason is because someone is killed or seriously injured in the pod. "I literally have scary dreams of being hurt in this jail."

Due to the violence in the pod I stay in my cell. Just to avoid getting assaulted again. I have to remain in my cell (24) hours a day. I take a bath in my sink.

(For the Record) I was assaulted by fellow inmate George McGuire.

My assault occurred in my cell on July 8, 2022. I alerted staff and George was moved from 04-A-23 to 04-A-28.

- Staff didn't even document it.

Greg Williams, Jail Trust administrator, is required to insure that pre-trial detainees receives adequate food clothing, shelter, medical care and safe conditions. None of these have been met. The defendant possesses direct responsibility associated with my complaints.

Claim 2:

- (1) 8th Amendment & 14 Amendment
- (2) Greg Williams, Oklahoma County Jail Trust Adm. & Oklahoma County Seat.

(3) Supporting Facts:

Sanitation: Sewage Floods

On June 22, 2022, July 18, 2022

August 2, 2022, and August 19, 2022

On the 4th Floor A pod Showers.

Recurring raw sewage. The shower drains on the above dates backed up and sewage made its way in to my cell which is approximately 15 feet away from the drains. Exposing me to raw sewage.

Staff failed to supply cleaning or protective gear for the cleanup. Failed to cleanup the sewage residue and mold in the drains and showers that still contaminate Plaintiff's living area.

Mr. Greg Williams, and the County Seat, have failed to correct the recurring plumbing/drainage problems at the Jail causing plaintiff to come in contact with raw sewage on many occasions.

I think it is cruel and unusual punishment to hold pre-trial detainees in unsafe conditions,

Claim 3:

- (1) 8th Amendment Cruel and Unusual Punishment.
- (2) Greg Williams, Oklahoma County Jail Trust Administrator, and County Seat
- (3) Supporting Facts:

This Jail is infested with bed bugs. I have repeatedly requested Jail Staff to spray my cell. They refuse to. I have approximately 17 bed bug bites on my body.

Federal Affidavit

I Ryan Deloera, understand that a false statement in this declaration could subject me to penalties of perjury.

Executed at Oklahoma County Jail
on August 24, 2022

I can attest that George McGuire punched Bruce Collins in the face in Cell 23 on the 4th Floor of the OCDC. In addition to several more punches thrown by George to Bruce's head. The reason was that Bruce stepped on his bed.

August 24, 2022

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